

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-1386**

*Affirmed*  
*Disqualification*

**PROCEDURAL HISTORY:** On August 28, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision # 85621). On September 17, 2015, decision # 85621 became final without a request for hearing having been filed. On September 30, 2015, claimant filed an untimely request for hearing. On October 13, 2015, ALJ Kangas issued Hearing Decision 15-UI-45780, dismissing claimant's request for hearing as untimely, subject to claimant's right to renew the request by responding to an appellant questionnaire within 14 days of the date on which the hearing decision was mailed. Claimant timely responded to the appellant questionnaire. By letter dated October 28, 2015, the Office of Administrative Hearings cancelled Hearing Decision 15-UI-45780. On November 12, 2015, ALJ S. Lee conducted a hearing, and on November 16, 2015, issued Hearing Decision 15-UI-47689, re-dismissing claimant's request for hearing as untimely. On November 21, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 15-UI-47689 is affirmed.

Susan Rossiter and J. S. Cromwell

**DATE of Service:** December 1, 2015

**NOTE:** You may appeal this decision by filing a Petition for Judicial Review with the Oregon Court of Appeals within 30 days of the date of service listed above. See ORS 657.282. For forms and information, you may write to the Oregon Court of Appeals, Records Section, 1163 State Street, Salem, Oregon 97310 or visit the Court of Appeals website at [courts.oregon.gov](http://courts.oregon.gov). Once on the website, use the 'search' function to search for 'petition for judicial review employment appeals board'. A link to the forms and information will be among the search results.

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